

IT IS SO ORDERED.

Dated: 02:51 PM December 09 2009



200900151
(iss)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
AT AKRON

IN RE:

Rebecca L Lively

Debtor

Case No. 08-54634

Chapter 13

Judge Marilyn Shea-Stonum

AGREED ORDER OF US BANK, NA FOR
RELIEF FROM STAY (130
CANTERBURY LANE, UNIT 30 D,
MEDINA, OH 44256)

This matter came to be considered on the Motion for Relief From Stay (the "Motion") filed by US Bank, NA ("Movant").

Movant has alleged that good cause exists for granting the Motion and that Debtor, counsel for Debtor, the Chapter 13 Trustee, and all other necessary parties were served with this Motion and with notice of the hearing date for this Motion; and

The parties have entered into an agreement resolving the Motion, the terms of which are set forth as follows: The post-petition arrearage due as of December 2009, is \$4,167.67, which amount consists of 2 payments (8/09 through 9/09) at \$638.63 each, 3 payments (10/09 through 12/09) at \$694.57 each, 2 late charges (8/09 through 9/09) at \$25.55 each, 3 late charges (10/09 through 12/09) at \$27.78 each, post petition property inspections at \$100.00, and \$425.00 for attorney fees associated with the Motion and \$150.00 court costs incurred herein for filing the Motion, less \$2.74 in debtor's suspense account.

In order to cure said post-petition arrearage, Creditor is permitted to file a Supplemental Proof of Claim in the amount of \$4,167.67, which consists of \$425.00 for attorney fees associated with the Motion and \$150.00 for court costs incurred herein for filing the Motion, regular monthly mortgage payments for August, 2009 through December, 2009, accrued late charges and post petition property inspection charges.

All payments shall be tendered to:

U.S. Bank Home Mortgage
4801 Frederica Street
Owensboro, KY 42301

This payment address is subject to change.

Failure by the Debtor to make any payment described above shall

constitute a default.

IT IS THEREFORE, ORDERED:

1. The Debtor shall maintain regular monthly post-petition payments to Movant outside the Chapter 13 plan beginning with a payment due January 1, 2010. Failure by the Debtor to make any payment within 15 days of the date due shall constitute a default.

2. Upon the existence of a default, Movant's counsel may send Debtor and counsel for Debtor a 10-day notice of Movant's intent to file an affidavit and proposed order granting relief from stay.

3. If the default is not cured within that 10-day period, then upon the filing of an affidavit by Movant attesting to the default by the Debtor, an Order shall be entered without further hearing, terminating the stay imposed by Section 362(a) of the Bankruptcy Code with respect to Movant, its successors and assigns. **The only ground**

for objection to such an Order shall be that payments were timely made.

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SUBMITTED BY:

APPROVED BY:

/s/ Steven H. Patterson
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COPIES TO:

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ORDINARY US MAIL, POSTAGE PRE-PAID

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ORDINARY US MAIL, POSTAGE PRE-PAID

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Howard Metzenbaum U.S. Courthouse
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Cleveland, Ohio 44114
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